

I. Rejection of Claims Under 35 U.S.C. § 102(b)

On page 2 of the Official Action, the Examiner rejected claims 1-8 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,051,101 to Komatsu (hereinafter, Komatsu).

The present invention as recited in amended independent claim 1 is directed to a card connector for accepting a card, which has a recess in its side surface, the card connector comprising, *inter alia*, an elastic locking piece having a locking portion to engage a single side of the card in the recess of the card and a stationary portion fixed to an eject member.

In contrast, Komatsu discloses a card connector comprising an elastic locking piece having a locking portion to engage two sides of the card in two recesses of the card and a stationary portion fixed in an eject member.

Komatsu fails to disclose at least a capability to engage a single side of the card, nor does it disclose a card connector wherein the stationary point is fixed to the eject member.

Even assuming, *arguendo*, that Komatsu could be modified to engage a single side of the card, the modification would teach away from a benefit derived by the current locking portion in Komatsu when a card is being inserted into the card connector (i.e., "prevent a card C from striking against the contact pieces 4, 5, resulting in damage thereto," col. 7, lines 38-40.)

Anticipation under 35 U.S.C. §102(b) requires that each and every claim limitation be disclosed by the applied reference. Komatsu does not teach each and every claim limitation of claims 1-8 and therefore, as a matter of law, cannot anticipate

these claims. That is, Komatsu fails to disclose at least a capability to engage a single side of the card, nor does it disclose a card connector wherein the stationary point is fixed to the eject member.

II. Conclusion

In view of the foregoing, it is submitted that the cited prior art fails to teach or suggest the Applicants' invention. Therefore, it is respectfully asserted that the present application is in condition for allowance and a notice to that effect is respectfully requested. However, if the Examiner deems that any issue remains after considering this response, he is invited to call the undersigned to expedite the prosecution and work out any such issue by telephone.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-8 in condition for allowance. Applicants submit that the proposed amendments of claim 1 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the final action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

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Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Attached hereto is a marked-up version of the changes made to the claims by this amendment. The attached page is captioned "Version with markings to show changes made." Deletions appear as normal text surrounded by [ ] and additions appear as underlined text.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, and not requested by attachment, such extension is hereby requested. If there are any fees due under 37 C.F.R. § 1.16 or 1.17 that are not enclosed, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge those fees to our deposit account 06-0916.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

Please amend claim 1 as follows:

1. (Amended Twice) A card connector for accepting a card, which has a recess in its side surface, the card connector comprising:

an eject mechanism having an eject member, the eject member being adapted to move in a card insertion direction as the card is inserted into the connector during a card insertion operation and to move in a card eject direction in response to a card eject operation to eject the card;

an elastic locking piece having a locking portion to engage a single side of the card in the recess of the card and a stationary portion fixed [in] to the eject member; and

a locking piece guide means for guiding the elastic locking piece during the card eject operation and the card insertion operation wherein the locking piece guide means causes the elastic locking piece to become elastically deformed during the card eject operation to move the locking portion away from the recess of the card and wherein the locking piece guide means causes the elastic locking piece to become released from the elastic deformation during the card insertion operation thereby causing the elastic locking piece to move toward the card by an elastic recovery force to engage the locking portion in the recess of the card.

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